

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

Committee of the Whole 7:30 P.M.
Stated Meeting 8:00 P.M.
City Council Chambers

TIME: 8:05PM

PRESENT: PRESIDENT OF THE COUNCIL
 CHUCK LESNICK

DISTRICT:

2	MAJORITY LEADER WILSON A. TERRERO
6	MINORITY LEADER JOHN J. LARKIN

COUNCIL MEMBERS:
DISTRICT:

1	CHRISTOPHER A. JOHNSON
3	MICHAEL R. SABATINO
4	DENNIS E. SHEPHERD - ABSENT
5	MICHAEL B. BREEN

Recitation of the Pledge of Allegiance to the Flag followed by a minute of silence to invoke God's guidance and Blessing upon our deliberations.

Motion by Council President Lesnick seconded by Minority Leader Larkin to reconsider the minutes of the March 13, 2012 stated Council Meeting to allow Councilmember Sabatino to vote in the affirmative. The motion was carried unanimously on all items.

Minutes of the stated meeting held on March 13, 2012 approved as amended on motion of Majority Leader Wilson Terrero.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

INDEX

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1. G.O. 1-2012	GENERAL ORDINANCE – CODE AMENDMENT SIDEWALK CAFES	6/7
2. S.O. 12-2012	SPECIAL ORDINANCE – ENCROACHMENT 35 VINEYARD AVE	8/10
3. R – 40-2012	RES -HOME RULE MESSAGE – ADMINISTRATIVE ADJUDICATION BUREAU	11/12
4. R – 41-2012	RES - SPRAIN RIDGE POOL	13/14
5. R - 42-2012	RES - IMA – WESTCHESTER COUNTY "RICI" INTEGRATED CRIMINALISTIC INFO	1516
6. R – 43-2012	RES – GOV'T EFFICIENCY GRANT	17/19
7. R – 44-2012	RES – CAMPAIGN FINANCING	20/21
8. R – 45-2012	RES – VOTER SUPPRESSION TACTICS	22/23
9. R – 46-2012	RES – COMMISSIONERS OF DEEDS	24
10. R – 47-2012	RES – BANNER ST. EUGENE'S CHURCH	25
11. R – 48-2012	RES – BANNER – ST. ANNS CHURCH	26
12. R – 49-2012	HONARARIUM – WOMENS HISTORY MONTH	27/28

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

COMMUNICATIONS FROM CITY OFFICIALS

LETTER DATED MARCH 26, 2012 FROM CORPORATION COUNSEL
EDWARD DUNPHY RE: EXECUTIVE ORDER NO 1-2012 ISSUED BY
MAYOR SPANO WHICH RELATES TO MANDATORY ETHICS
TRAINING FOR ALL CITY DEPARTMENT HEADS AND THEIR
DEPUTIES. COPIES ON DESKS

FILED

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

COMMUNICATIONS - GENERALLY

NONE

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

COMMITTEE OF THE WHOLE

SPEAKERS

<u>NAME</u>	<u>ADDRESS</u>	<u>ITEM NO:</u>
1. PAMELA STERN	5 DONNYBROOK PLACE, YONKERS	#4
2. CAROL McLAUGHLIN		#7
3. LORETTA MIRAGLIA	133 RITCHIE DRIVE, YONKERS	#4
4. THEO GIFFORD	LETTER CCP OFFICE	#4
5. MARY JANE SHIMSKY	COUNTY LEGISLATOR	#4
6. ARANTXA SANCHEZ	YKS RESIDENT	#4
7. ELIZABETH HERNANDEZ	YKS RESDIENT	#4
8. EDWARD VAQUERO	YKS RESIDENT	#4
9. VIRGINIA PEREZ	COUNTY LEGISLATOR	#4

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

GENERAL ORDINANCE NO.1-2012

1. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO AND BREEN:

AN ORDINANCE AMENDING THE CODE OF THE CITY OF YONKERS BY AMENDING IN PART CHAPTER 23 ENTITLED "SIDEWALK CAFÉS."

The City Council of the City of Yonkers, in City Council convened, does hereby ordain and enact as follows:

Section 1. Chapter 23 of the Code of the City of Yonkers, entitled "Sidewalk Cafés" is hereby amended, in part, by amending Section 23-30 (D) thereof, entitled "License required; issuance" to read as follows;

"§ 23-30. License required; issuance; insurance requirements.

D. All licenses shall be issued from [May 1st] April 1st to November 1st for one calendar year. There shall be no credit or prorated fee for a shorter term."

Section 2. Chapter 23 of the Code of the City of Yonkers, entitled, "Sidewalk Cafes" is hereby amended, in part, by amending Section 23-31 (C) thereof, entitled, "License and inspection fees." to read as follows:

"§23-31. License and inspection fees.

C. The applicant shall pay a fee of \$50 to the Engineering Department [of Housing and Buildings] at the time of each application for inspection or reinspection. "

Section 3. Chapter 23 of the Code of the City of Yonkers, entitled, "Sidewalk Cafes" is hereby amended, in part, by amending Section 23-32 thereof, entitled, "License application; plan requirements; sidewalk clearance standards." to read as follows:

"23-32. A. Licensing requirements.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

GENERAL ORDINANCE NO.1-2012 (CONTINUED)

(6.) No license authorized in this article shall be issued or renewed unless the Engineering Department [of Housing and Buildings] inspects the premises and certifies that the premises complies with the codes of New York State and the City of Yonkers. There will be a review of the application by the Engineering Department, Fire Department and Code Enforcement."

Section 4. Chapter 23 of the Code of the City of Yonkers, entitled, "Sidewalk Cafes" is hereby amended, in part, by amending Section 23-34 thereof, entitled, "Suspension or revocation of license." to read as follows:

"23-34. Suspension or revocation of license.

Any license can be severed or revoked at any time at the discretion of the Director of the Bureau of Consumer Protection, Engineering Department [of Building and Housing] and/or the Police Department.

Section 5. This Ordinance shall take effect immediately.

THIS GENERAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 27, 2012 BY A VOTE OF 6-0. COUNCILMEMBER SHEPHERD WAS ABSENT.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

SPECIAL ORDINANCE NO.12-2012

2. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO AND BREEN:

A SPECIAL ORDINANCE AUTHORIZING AN ENCROACHMENT ON CITY PROPERTY IN THE NORTHEAST CORNER OF A LOT LOCATED AT 35 VINEYARD AVENUE, BLOCK 2084, LOT 4. WITH CERTAIN TERMS AND CONDITIONS

The City of Yonkers, in City Council convened, hereby ordained and enacts:

Section 1. Permission is hereby granted to the Municipal Housing Authority of the City of Yonkers, New York, the owner of property designated as Block 2084, Lot 4, as shown on the official map of the City of Yonkers, to maintain an encroachment upon City property, located at the northeast corner of said lot at Whetstone Avenue, in accordance with and as shown on a plan approved by the City Engineer, attached hereto as Exhibit A, and described as follows:

1. The pier located at the northeast corner of the lot at Vineyard Avenue and Whetstone Avenue protruding along the east property line 0.51', 2.63' in width and 5.27' in height.
2. The pier located at the northeast corner of the lot at Vineyard Avenue and Whetstone Avenue protruding along the east property line 0.46', 2.70' in width and 5.30' in height.
3. The pier located at the northeast corner of the lot at Vineyard Avenue and Whetstone Avenue protruding along the east property line 0.52', 2.66' in width and 5.30' in height.
4. The pier located at the northeast corner of the lot at Vineyard Avenue and Whetstone Avenue protruding along the north property line 0.47', 2.58' in width and 5.84' in height.
5. The pier located at the northeast corner of the lot at Vineyard Avenue and Whetstone Avenue protruding along the north property line 11.64', 2.67' in width and 5.70' in height.
6. The pier located at the northeast corner of the lot at Vineyard Avenue and Whetstone Avenue protruding along the north property line 16.59', 2.67' in width and 5.70' in height.
7. The pier located at the northeast corner of the lot at Vineyard Avenue and Whetstone Avenue protruding along the north property line 25.21', 2.66' in width and 5.30' in height.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

SPECIAL ORDINANCE NO.12-2012 (CONTINUED)

8. The steps located at the northeast corner of the lot at Vineyard Avenue and Whetstone Avenue protruding along the north property line 9.75' in length and 11.40' in width.

Section 2. This permission is granted under the following terms and conditions, to wit:

- (a) That the whole cost and expense of maintaining the encroachment on said City property shall be paid by the owner, its successors or assigns (hereinafter referred to as "owner") without expense to or contribution by the City of Yonkers. The owner, its successors and assigns shall be limited to the construction/erection of a concrete pier at the northwest corner of the property.;
- (b) That upon the written request of the City of Yonkers, the owner, at his own expense shall remove the aforementioned concrete pier within 30 days and restore the property to its original state prior to the construction/erection of said concrete pier;
- (c) That neither the approval of this plan by the appropriate City official nor the existence of said improvement after construction shall be deemed a waiver, or in any way affect the rights of the City of Yonkers to provide for construction or otherwise improve its property; provided further that that the City of Yonkers reserves the right to assess the property benefitted in like manner and in like effect as if approval has not been given by the City of Yonkers. That the granting of this permission shall in no way free or release the said owner, or its successors or assigns from the payment of any assessments hereafter imposed;
- (d) That neither the approval of this drawing by the City Engineer nor the existence of said encroachment after construction shall be deemed to affect the right of the City of Yonkers to provide for the construction of an encroachment in the said street right-of-way herein designated and the City of Yonkers further reserves the right to revoke this permission whenever it may deem necessary. That the granting of this permission shall in no way free or release the said owner, or its successors or assigns from the payment of any assessments on any public improvements already built

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

SPECIAL ORDINANCE NO.12-2012 (CONTINUED)

or that may hereafter be built to serve the area adjoining this encroachment. All activities undertaken in performance of any work shall be properly guarded by said owner, his servants, agents, or employees and any disturbed areas shall be restored in similar or equal condition to the present state of said property;

- (e) That the construction of the aforementioned concrete pier shall be performed in compliance with all local laws;
- (f) That it is the responsibility of the owner to secure all necessary permits and consents from the appropriate City agency and shall secure and maintain a property damage policy and public liability insurance policy naming the City as insured, or as a named additional insured in the amount and form satisfactory to the City Engineer and the Corporation Counsel of the City of Yonkers and to provide the City with evidence thereof;
- (g) That the owner shall, for whatever period this permission remains in effect, save harmless and indemnify the City of Yonkers for any and all claims, actions, suits, judgments, demands, losses, damages, causes of action, including personal injury and/or death including all costs related to the defense thereof;
- (h) That the City of Yonkers or authorized representatives shall be permitted entry upon the encroached property at any time or for any reason.

Section 3. This ordinance shall take effect immediately.

THIS SPECIAL ORDINANCE WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 27, 2012 BY A VOTE OF 6-0. COUNCILMEMBER SHEPHERD WAS ABSENT.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

RESOLUTION NO.40-2012

3. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO AND BREEN:

WHEREAS, the City of Yonkers currently enforces its laws and ordinances by means of criminal proceedings commenced in the City Court of Yonkers; and

WHEREAS, the City Court calendar of the City of Yonkers has become overburdened with the prosecution of minor city code and ordinance violations and seeks to facilitate and improve the enforcement of City Code and Ordinance violations; and

WHEREAS, the City of Yonkers wishes to improve its efficiency and expand its authority by enforcing its laws in an administrative setting and additionally free up the Court calendar for more serious cases; and

WHEREAS, in order to achieve this result, it is necessary to amend the Laws of the State of New York to allow the City of Yonkers to create a Bureau for the Administrative Adjudication of the code and ordinances of the City of Yonkers, similar to other cities like the City of Buffalo; and

WHEREAS, legislation allowing the City of Yonkers to form an Administrative Adjudication Bureau has been drafted; and

WHEREAS, Senate Bill No. S-3905 (Sen. Stewart-Cousins) and Assembly Bill No. A-3129 (M of A Pretlow) have been introduced for the purpose of creating an Administrative Adjudication Bureau in the City of Yonkers.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Yonkers hereby issues this Home Rule Request Message for Assembly Bill No. A-3129 (M of A Pretlow) and Senate Bill No. S-3905 (Sen. Stewart-Cousins) for the creation of an Administrative Adjudication Bureau in the City of Yonkers; and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

RESOLUTION NO.40-2012 (CONTINUED)

BE IT FURTHER RESOLVED, that the City Council of the City of Yonkers hereby requests the City Clerk to forward a copy of this Home Rule Request Message to the Legislature of the State of New York requesting the passage of the aforesaid bill.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 27, 2012 BY A VOTE OF 6-0. COUNCILMEMBER SHEPHERD WAS ABSENT.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

RESOLUTION NO.41-2012

4. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO AND BREEN:

WHEREAS, a community is defined by many things including its people, its places and its resources; and

WHEREAS, the City of Yonkers has been blessed with tremendous people, beautiful places and plentiful resources; and

WHEREAS, among the most precious resources in the City of Yonkers are its parks and recreational facilities, where residents and non-residents alike spend their leisure time with family, friends and neighbors; and

WHEREAS, in addition to the many city-owned parks, the City of Yonkers is home to irreplaceable county owned park facilities, Tibbetts Brook Park and Sprain Ridge Park, both of which have provided county residents with recreational swimming activities; and

WHEREAS, in 2011, due to budget constraints, the County of Westchester closed the Sprain Ridge Pool for the season, citing necessary structural repairs; and

WHEREAS, the closure of the Sprain Ridge Pool in 2011 resulted in a negative quality of life disproportionately impacting the residents of Yonkers, including many families whose economic circumstances do not allow for alternatives to the county operated pools; and

WHEREAS, Sprain Ridge Pool has been the destination for many day camps operated in and around Yonkers and has provided a source of employment to many young adults in the City of Yonkers and the surrounding communities; and

WHEREAS, the City of Yonkers is home to nearly 196,000 of Westchester County's 949,113 residents – or 20% of the county-wide population; and

WHEREAS, it has been reported that Westchester County plans keep the Sprain Ridge Pool closed for the 2012 summer season.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

RESOLUTION NO.41-2012 (CONTINUED)

NOW, THEREFORE BE IT RESOLVED, that I, Michael J. Spano, in my capacity as Mayor of the City of Yonkers, strongly urge the County of Westchester to reconsider the decision to close Sprain Ridge Pool for the Summer 2012 season in order to provide the residents of Westchester's largest city with a convenient, affordable, family oriented recreational activity, and be it,

FURTHER RESOLVED THAT, this resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 27, 2012 BY A VOTE OF 6-0. COUNCILMEMBER SHEPHERD WAS ABSENT.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

RESOLUTION NO.42-2012

5. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO AND BREEN:

WHEREAS, the County of Westchester has implemented a system called the Westchester County Repository for Integrated Criminalistic Information (hereinafter "RICI" System) to allow for the electronic transmission and storage of criminal records and police blotter information; and

WHEREAS, the type of information that is transmitted and stored on the system includes but is not limited to, information related to a subject's arrest, booking, detention or incarceration including name, address, social security number, physical description, telephone number, fingerprints, palm prints, photographs and related data; and

WHEREAS, this information is to be stored chronologically on a central computer maintained by the County and to be shared by multiple law enforcement agencies having access to the system; and

WHEREAS, the City of Yonkers is desirous of continuing access to the RICI System and receiving the supplemental computer services from the County and the County will agree to provide such services to the City of Yonkers; and

WHEREAS, the Mayor of the City of Yonkers is hereby authorized to execute an agreement between the City of Yonkers and the County of Westchester in order to allow the City to obtain such services for the use of the Police Department ;

NOW, THEREFORE BE IT RESOLVED, that the Mayor of the City of Yonkers is hereby authorized to execute the agreement with the County of Westchester to allow the City of Yonkers to be a part of the RICI System, as described herein; and be it further

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

RESOLUTION NO.42-2012 (CONTINUED)

RESOLVED, that this resolution shall take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A
STATED MEETING HELD ON TUESDAY, MARCH 27, 2012 BY A VOTE
OF 6-0. COUNCILMEMBER SHEPHERD WAS ABSENT.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

RESOLUTION NO.43-2012

6. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO AND BREEN:

RESOLUTION IN SUPPORT OF AN APPLICATION BEING SUBMITTED BY THE CITY OF PEEKSKILL FOR A LOCAL GOVERNMENT EFFICIENCY GRANT SUPPORTING THE SHARED REDEVELOPMENT SERVICES PROGRAM OF THE MAYORS REDEVELOPMENT ROUNDTABLE

WHEREAS, the City of Yonkers and its redevelopment staff and Corporation Counsel have been participating in the Mayors' Redevelopment Roundtable (Roundtable) for four years to develop strategies for making the participating cities redevelopment-ready in order to increase its tax base and to stimulate sustainable economic development; and

WHEREAS, the Mayors' Redevelopment Roundtable creates a vehicle for and implements a program for sharing expert development staff and professional services among the cities participating, the staff of the Land Use Law Center, and experts on the strategies being developed; and

WHEREAS, this shared services approach to developing redevelopment strategies realized significant cost benefits through the essential services provided and the addition of development attracted by the strategies to the tax base; and

WHEREAS, the Roundtable has been effective in working with the Mid-Hudson Regional Economic Development Council to create an urban redevelopment policy in its five year strategy so that projects for state funding from Roundtable communities are as competitive as possible; and

WHEREAS, the City of Yonkers benefits from the redevelopment strategies developed through the Roundtable, through the urban policy adopted, and by participating is an indication that the City is cooperating in a regional redevelopment strategy in furtherance of several state policies; and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

RESOLUTION NO.43-2012 (CONTINUED)

WHEREAS, the cooperation of the nine communities in the Roundtable is memorialized by a Memorandum of Agreement signed by each of the mayors of the cooperating communities, constituting an intermunicipal agreement to cooperate in developing redevelopment strategies that respond to the critical issues faced by Roundtable communities; and

WHEREAS, the City of Peekskill has agreed to submit a grant to the State of New York under the Local Government Efficiency Grant Program for a two-year \$200,000 grant to continue the shared services initiative of the Roundtable and to act as the fiscal agent for the Roundtable in administering the grant on behalf of the participating cities, which include Mount Vernon, Yonkers, New Rochelle, White Plains, Port Chester (a village), Beacon, Poughkeepsie, and Newburgh; and

WHEREAS, the Grant requires a 10 percent local share, which can be contributed by any of the cooperating communities in the Roundtable through any projects that it funds that are part of the Shared Redevelopment Services Program: representing an average yearly local commitment of approximately \$1,120 per Roundtable community.

NOW THEREFORE BE IT RESOLVED, that the City of Peekskill, through Mayor Mary Foster is authorized on behalf of the City of Yonkers to submit an application for a \$200,000 Shared Redevelopment Services Program of the Mayors' Redevelopment Council and to execute all financial and administrative processes related to the implementation of the program; and

BE IT FURTHER RESOLVED, that the Yonkers City Council supports this Shared Development Services initiative and pledges, if needed, to provide its share of the required \$20,000 local share required, an average of \$1,120 per year, in conjunction with the other co-applicants: the cities of Beacon, Mount Vernon, Newburgh, New Rochelle, Poughkeepsie, Yonkers, White Plains, and the village of Port Chester; and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

RESOLUTION NO.43-2012 (CONTINUED)

BE IT FURTHER RESOLVED, that this Resolution take effect immediately.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 27, 2012 BY A VOTE OF 6-0. COUNCILMEMBER SHEPHERD WAS ABSENT.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

RESOLUTION NO.44-2012

7. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, COUNCILMEMBERS JOHNSON AND SABATINO:

WHEREAS, in 2010 the United States Supreme Court issued its decision in Citizens United v. Federal Election Commission, holding that independent spending on elections by corporations and other groups could not be limited by government regulations; and

WHEREAS, this decision rolled back the legal restrictions on corporate spending in the electoral process, allowing for unlimited corporate spending to influence elections, candidate selection, and policy decisions; and

WHEREAS, in reaching its decision, a majority of the Supreme Court, relying on prior decisions, interpreted the First Amendment of the Constitution to afford corporations the same free speech protections as natural persons; and

WHEREAS, in his eloquent dissent, Justice John Paul Stevens rightly recognized that "corporations have no consciences, no beliefs, no feelings, no thoughts, no desires. Corporations help structure and facilitate the activities of human beings, to be sure, and their 'personhood' often serves as a useful legal fiction. But they are not themselves members of 'We the People' by whom and for whom our Constitution was established"; and

WHEREAS, the Court's decision in Citizens United severely hampers the ability of federal, state and local governments to enact reasonable campaign finance reforms and regulations regarding corporate political activity; and

WHEREAS, corporations should not be afforded the entirety of protections or "rights" of natural persons, such that the expenditure of corporate money to influence the electoral process is a form of constitutionally protected speech; and

WHEREAS, several proposed amendments to the Constitution have been introduced in Congress that would allow governments to regulate the raising and spending of money by corporations to influence elections;

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

RESOLUTION NO.44-2012 (CONTINUED)

NOW, THEREFORE, BE IT RESOLVED, that the Yonkers City Council opposes the Supreme Court's interpretation of the Constitution in Citizens United regarding the constitutional rights of corporations, and supports amending the Constitution to provide that corporations are not entitled to the entirety of protections or "rights" of natural persons, specifically so that the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally protected speech, and calls on Congress to begin the process of amending the Constitution.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 27, 2012 BY ROLL CALL VOTE OF 4-2. MINORITY LEADER LARKIN AND COUNCILMEMBER BREEN VOTING "NAY". COUNCILMEMBER SHEPHERD WAS ABSENT.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

RESOLUTION NO.45-2012

8. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, COUNCILMEMBERS JOHNSON AND SABATINO:

WHEREAS, voting is a fundamental right; and

WHEREAS, we are witnessing a concerted campaign to prevent millions of Americans from casting ballots; and

WHEREAS, voter fraud is virtually non-existent; and

WHEREAS, a true democracy encourages maximum participation by its citizenry; and

WHEREAS, by now these should be undisputed rights; and

WHEREAS, since 2010, bills making voting more difficult have been introduced in 38 state legislatures; and

WHEREAS, seven states have enacted new photo ID rules for voters, with more states rushing to pass similar laws; and

WHEREAS, America's workers are under vicious and unrelenting attacks across the country from politicians using the same old politics to silence their voices and eliminate their ability to check corporate power through their unions; and

WHEREAS, these rules unfairly target the poor, young people, and minorities:

- While 11% of the general population lack photo IDs, that figure jumps to 15% of eligible low-income voters, 18% of young voters, and 25% of African-American voters.
- Moreover, even if one has a photo ID, but falls into one of those categories, it's more likely to be disallowed under the new laws.
- In Texas, a concealed-weapon permit is deemed acceptable but a student ID is not.
- In Wisconsin, student IDs are valid only if they include a two-year expiration date, a current address, and other info – but no colleges or universities in the state issue IDs which look like that.
- To vote in South Carolina, one must produce a state-issued ID, which one can obtain free of charge – but to get one, you'll need a

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

RESOLUTION NO.45-2012 (CONTINUED)

passport or a birth certificate, and those cost money (and a considerable investment of time) to obtain if one doesn't have one already; and

WHEREAS, these requirements ensure that, for people with fewer resources, assembling necessary documentation will be daunting – so much so that many will simply stay away from the polls, which is precisely what the legislation intends; and

WHEREAS, many of these laws strip voting rights from ex-felons, even non-violent offenders, Iowa and Florida have both taken this action, which in Florida alone means that over 1 million people – predominantly African-American men – have been permanently disenfranchised; and

WHEREAS, we are committed to fighting for, and taking action on behalf of the rights of our citizens to participate in electoral politics and share in fair representation;

NOW, THEREFORE, BE IT RESOLVED, that the Yonkers City Council encourages candidates and officeholders in every municipality across the country to stand in opposition to voter suppression tactics and to oppose, in active and visible ways, these attacks on voting rights.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 27, 2012 BY ROLL CALL VOTE OF 4-2. MINORITY LEADER LARKIN AND COUNCILMEMBER BREEN VOTING "NAY". COUNCILMEMBER SHEPHERD WAS ABSENT.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

RESOLUTION NO.46-2012

9. BY COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON, SABATINO AND BREEN:

BE IT RESOLVED, that the following applicant(s) are hereby appointed and/or reappointed to the office of Commissioner of Deeds for a period of two years to expire on April 27, 2014.

Nancy Pagan
16 Tower Place
Yonkers, New York 10701

Lemle & Wolff, Inc

RENEWAL

Jeffrey Ventura
1511 Central Pk Ave
Yonkers, New York 10710

MHA

RENEWAL

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 27, 2012 BY A VOTE OF 6-0. COUNCILMEMBER SHEPHERD WAS ABSENT.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

RESOLUTION NO.47-2012

10. BY COUNCILMEMBER BREEN, COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS JOHNSON AND SABATINO:

WHEREAS, St. Eugene's Church, located at 707 Tuckahoe Road in Yonkers will hold its "Annual Penny Social Fund Raiser" on Friday April 27, 2012, and has requested permission from the City Council to place a banner in the area promoting this event, and

WHEREAS, St. Eugene's Church has asked that they be permitted to place one banner at the following location: (1) Central Park Ave./Tuckahoe Road Bridge (southbound), on or around April 6th and to be removed as soon after April 28th as is possible.

WHEREAS, said locations are subject to the scheduling and availability of the banner sites as administered by the Department of Public Works.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Yonkers hereby grants permission to St. Eugene's Church to place one banner in the aforementioned location, subject to any terms and conditions deemed appropriate by the Administration to protect the best interests of the City of Yonkers.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 27, 2012 BY A VOTE OF 6-0. COUNCILMEMBER SHEPHERD WAS ABSENT.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

RESOLUTION NO.48-2012

11. BY MINORITY LEADER LARKIN, COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, COUNCILMEMBERS JOHNSON, SABATINO AND BREEN:

WHEREAS, Saint Ann's School, located at 40 Brewster Avenue in Yonkers will hold its annual "Card Party" Friday, April 20, 2012, and has requested permission from the City Council to place a banner in the area promoting this event, and

WHEREAS, Saint Ann's School has asked that they be permitted to place one (1) banner at the intersection of Brewster and Midland Avenue's, on or around March 27, 2012 and to be removed as soon after April 21, 2012 as is possible.

WHEREAS, said locations are subject to the scheduling and availability of the banner sites as administered by the Department of Public Works.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Yonkers hereby grants permission to Saint Ann's School to place one banner in the aforementioned locations, subject to any terms and conditions deemed appropriate by the Administration to protect the best interests of the City of Yonkers.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 27, 2012 BY A VOTE OF 6-0. COUNCILMEMBER SHEPHERD WAS ABSENT.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

RESOLUTION NO.49-2012

12. BY COUNCILMEMBER JOHNSON, COUNCIL PRESIDENT LESNICK, MAJORITY LEADER TERRERO, MINORITY LEADER LARKIN, COUNCILMEMBERS, SABATINO AND BREEN:

WHEREAS, Women's History Month is an annual month declared worldwide that highlights the contributions of women to events in history and contemporary society, in the United States, Women's History Month traces its beginnings back to the first International Women's Day in 1911, the public celebration of women's history in this country began in 1978 as "Women's History Week" in Sonoma County, California, this week included March 8th, which was selected as International Women's Day, in 1987, Congress declared the entire month of March as Women's History Month; and

WHEREAS, pioneers of secondary education for young women faced arguments from physicians and other "experts," who claimed either that females were incapable of intellectual development equal to men, or that they would be harmed by striving for it, women's supposed intellectual and moral weakness was also used to argue against coeducation, the fight to learn was a valiant struggle waged by many tenacious women in our country, and after the American Revolution, the notion of education as a safeguard for democracy created opportunities for girls to gain a basic education; and

WHEREAS, The equal opportunity to learn owes much to Title IX of the Education Codes of the Higher Education Act Amendments, this legislation, passed in 1972 and enacted in 1977, prohibited gender discrimination by federally funded institutions, and has transformed the educational landscape of the United States as a tool for women to more fully participate in all aspects of education; and

WHEREAS, Women comprise over fifty percent of our population, but hold fewer than seventeen percent of our Congressional seats, Since women rarely held leadership roles and had a marginal influence on politics, this new history expanded the definition of history to include the sociological issues faced by women. The emergence of the women's movement of the 1960s caused women to question their persistent invisibility in American society; and

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

RESOLUTION NO.49-2012 (CONTINUED)

WHEREAS, More than half our college students are female, yet when they graduate, their male classmates receive higher pay on average for the same work, and before 1970, Women's History was rarely the subject of serious study. Today almost every college offers women's history courses and most major graduate programs offer doctoral degrees in the field, the popularity of Women's History celebrations continues to spread as more people are becoming aware of the contributions of women and girls; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council calls upon our citizens to observe this month in commitment to correct gender inequity and honor and celebrate the contributions and accomplishments of women.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, MARCH 27, 2012 BY A VOTE OF 6-0. COUNCILMEMBER SHEPHERD WAS ABSENT.

ANNOTATED AGENDA
CITY COUNCIL OF THE CITY OF YONKERS
STATED MEETING
TUESDAY, MARCH 27, 2012

COMMITTEE REPORTS

THIS COUNCIL MEETING WAS ADJOURNED AT 8:55PM